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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SATHIRAWAT SAUBHAYANA,

Plaintiff,

v.

MERRICK B. GARLAND, U.S. Attorney
General, et al.,

Defendants.

Case No. 2:17-cv-2655-JAD-EJY

ORDER GRANTING

**JOINT MOTION TO STAY CASE UNTIL
DECEMBER 21, 2021**

ECF No. 57

1 Plaintiff Sathirawat Saubhayana and Defendants (collectively, the “Parties”) jointly
 2 request that the Court stay this case, until December 21, 2021, while U.S. Citizenship and
 3 Immigration Services (“USCIS”) reopens Plaintiff’s Form, N-400, Application for
 4 Naturalization, and considers new evidence. *See* 8 C.F.R. § 103.5(a)(5) (allowing USCIS to
 5 reopen a naturalization application).

6 On August 20, 2021, government counsel finally received the sealed documents from the
 7 Las Vegas Police Department (“LVPD”). *See* ECF No. 55. Based on its review of these
 8 documents, USCIS has agreed to sua sponte re-open Plaintiff’s naturalization application in
 9 order to consider these documents along with other evidence that Plaintiff may submit in support
 10 of his application. The Parties, therefore, request that this Court stay this case, until December
 11 21, 2021, to allow USCIS to time to reopen and adjudicate Plaintiff’s naturalization application
 12 based on this new evidence. *See Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936)
 13 (“[T]he power to stay proceedings is incidental to the power inherent in every court to control
 14 disposition of the causes on its docket with economy of time and effort for itself, for counsel, and
 15 for litigants.”); *Al Falahi v. USCIS*, No. 2:16-cv-02921-JAD-VCF, 2019 U.S. Dist. LEXIS
 16 54960, (D. Nev. June 7, 2019) (staying case to allow USCIS to reopen and adjudicate
 17 naturalization application). The Parties propose that on or before December 21, 2021, they report
 18 to the Court whether they have resolved this case such that dismissal is appropriate.

19 Respectfully submitted,

20 BRIAN M. BOYNTON
 21 Acting Assistant Attorney General
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23 ELIANIS PEREZ
 24 Assistant Director
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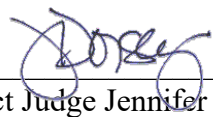
25 By: /s/ Mary L. Larakers
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Order

Good cause appearing, IT IS HEREBY ORDERED that the Motion to Stay [ECF No. 57] is **GRANTED**. This action is STAYED. The Clerk of Court is directed to TEMPORARILY ADMINISTRATIVELY CLOSE this case. Any party may move to lift this stay and reopen this case after December 21, 2021.



U.S. District Judge Jennifer A. Dorsey
Dated: September 21, 2021